

OFFICE OF SOIL AND WATER CONSERVATION
STATE SOIL AND WATER CONSERVATION COMMISSION

OCTOBER 27, 2009
11:30 A.M.

USDA NRCS AREA II OFFICE
CONFERENCE ROOM
646 CAJUNDOME BOULEVARD
LAFAYETTE, LA

PROCEEDINGS/MINUTES

CALL TO ORDER

The regular monthly Commission meeting was called to order by Chairman Guillory at 11:30 A.M.

ROLL CALL

The roll was called by Joey Breaux.

Members present: Chairman George Guillory, Ernest Girouard, Ed Yerger, Garland Colvin, Randell Fletcher and John Compton

Members absent: None

A quorum was present.

Others present: Kevin Norton, NRCS; Dwight Landreneau, LSU; Brad Spicer, LDAF; Joey Breaux, LDAF; Bruce Frazier, LACD Vice President and Dugdemona SWCD; Steve Horvath, Capital SWCD; George Dauzat, Calcasieu SWCD; Donavon Taves, East Carroll SWCD and Wayne Bordelon, Lafourche-Terrebonne SWCD

APPROVAL OF THE MINUTES

Chairman Guillory called for a motion to approve the minutes of the September 22, 2009 State Commission meeting.

Motion: Dr. Girouard made a motion to approve the minutes from the September 22, 2009 Commission meeting. The motion was seconded by Mr. Colvin and passed unanimously.

UNFINISHED BUSINESS

Chairman Guillory said they would next take up Unfinished Business and requested Mr. Spicer to report on the items listed on the agenda.

SWCD Farm Bill Implementation Report

Mr. Spicer said that the districts have earned nearly seventy-five percent of their allotted Farm Bill funds. He said there are still a couple of districts that fell short of their earning target. He said he will continue working with each district to ensure that all Farm Bill funds allocated to the districts are earned prior to the end of the cooperative agreement. He said they will make a sweep and reallocate the funds in January. Mr. Spicer said that his office is in the process of allocating the additional \$90,000 in Farm Bill funds using an adjusted NRCS Farm Bill allocation formula.

District Audits

Mr. Spicer said that all but three districts chose to use the services of Mr. Tate to assist them in preparing their financial records for review by a CPA audit firm. He said of the twenty-nine districts required to have a CPA sign their review or attestation, twenty-six used Mr. Ed Krielow's CPA firm. Mr. Spicer said that he has been assured that the twenty-six districts will have their reports to the State Legislative Auditor's Office prior to the December 31, 2009 deadline.

State Commission Election Results – Area III and Area IV

Chairman Guillory said the next agenda item is the State Commission Election results for Area III and Area IV. He said the State Commission conducted Area III and Area IV State Soil and Water Conservation Commission Election Conventions earlier in the morning.

Area III State Election Convention Result

Chairman Guillory said the voting results of the Area I Election Convention are as follows:

Area III – State Commission Member
Mr. Randell Fletcher
Grant Soil and Water Conservation District

Area III – State Commission Alternate Member
Mr. Larry Sayes
Avoyelles Soil and Water Conservation District

Motion: Mr. Compton made a motion to accept the results of the Area III Election Convention with Mr. Randell Fletcher as Member and with Mr. Larry Sayes as Area III Alternate Member to the State Commission. The motion was seconded by Mr. Colvin and passed unanimously.

Resolved, Mr. Randell Fletcher, Grant Soil and Water Conservation District will serve as the Area III Member of the State Commission and Mr. Larry Sayes, Avoyelles Soil and Water Conservation District will serve as Area III Alternate Member of the State Commission with their terms beginning October 27, 2009 and expiring October 27, 2012.

Area IV State Election Convention Results

Chairman Guillory said the voting results of the Area IV Election Convention are as follows:

Area IV – State Commission Member
Mr. George Guillory
Acadia Soil and Water Conservation District

Area IV – State Commission Alternate Member
Mr. Sherrill Sagrera
Vermilion Soil and Water Conservation District

Motion: Mr. Yerger made a motion to accept the results of the Area IV Election Convention with Mr. George Guillory as Member and with Mr. Sherrill Sagrera as Area IV Alternate Member to the State Commission. The motion was seconded by Dr. Girouard and passed unanimously.

Resolved, Mr. George Guillory, Acadia Soil and Water Conservation District will serve as the Area IV Member of the State Commission and Mr. Sherrill Sagrera, Vermilion Soil and Water Conservation District will serve as Area IV Alternate Member of the State Commission with their terms beginning October 27, 2009 and expiring October 27, 2012.

Chairman Guillory congratulated the elected Members and Alternate Members on the State Commission.

LACD Annual Meeting

Mr. Spicer said that the LACD Annual Meeting will be held at the Baton Rouge Crown Plaza Hotel on January 13-15, 2010. He said they have most of the preliminary planning for the meeting completed.

Dr. Girouard said that the hotel is an excellent facility. He said that all the LACD standing committees met in Alexandria several weeks ago and the committees have for the most part completed their annual meeting agendas and are in the process of selecting speakers and drafting resolutions. He said the planning for the meeting is on schedule.

Mr. Spicer said that they plan to have the registration packet out to the districts by mid November. He said they will use both electronic and regular mail for distributing the packets.

Chairman Guillory thanked Mr. Spicer and Dr. Girouard and said they would now take up the State Conservationist Report under NEW BUSINESS.

NEW BUSINESS

NRCS State Conservationist Report

Mr. Norton said that all personnel have been very busy preparing for program implementation, and preparing for the recently All Employee meeting which was held in Alexandria at the Riverfront Center on October 22, 2009. He said that the meeting was very well attended, with a good number of district employees present, and that Katie Spears of the LACDE was active on the planning committee. Mr. Norton said that this meeting in the past had been focused on NRCS employee performance and service awards. He said his goal is to make the meeting somewhat less formal, with awards being limited to the more broadly applicable Earth Team and civil rights awards, etc. Mr. Norton said in addition the program will include less formal training and more information broadly applicable to all individuals such as retirement planning, energy conservation and other topics that benefit all attendees. He said that this event will become less focused on NRCS specific information and more relative to employees of the entire partnership, and that in the future he would like to see attendance and participation from the president of LACD, representation from the State Commission, the OSWC, and the president of the RC&D Association. Mr. Norton said that in this way the atmosphere of the event will be of family and unity among the statewide conservation partners.

He said that part of this year's program was a question and answer period, and one question from district employees was regarding the upcoming budget, and whether NRCS going to be able to fill the prospective gap in the upcoming State budget so that district employees would be able to remain available to work with NRCS and local customers. He said that he had also been previously contacted by several district boards asking the same question. He said his response is that there are no extra NRCS funds available at this time, and not having received this fiscal year's allocations yet, there is no firm indication of what level of funding the NRCS will receive. He said his intent is to continue the contribution agreement with the OSWC for Farm Bill support. He said the Farm Bill funding constitutes the only flexible NRCS funding available to the districts. He added that the conservation technical assistance (CTA) funding NRCS receives has not grown over the years, but has actually diminished in buying power. He said CTA funds must be used to maintain NRCS services which are already stretched thin. He said only Farm Bill technical assistance funds can be used to assist districts, and will continue to be made available to districts to the greatest extent possible. Mr. Norton said that the intent is to maintain the initial amount of this agreement at the level we have provided in previous years. The ability to add additional funds depends on what's made available to Louisiana and, as was the case this year, he may have to wait till the end of the FY in balancing the budget to determine whether or not additional funds may be added to the existing agreement. Mr. Norton

noted that an additional \$90,000 was added in September bringing the agreement total for the current year to around \$350,000.

He said that maintaining the districts support to Farm Bill Program delivery is always foremost in his mind when developing this agreement, knowing that district assistance with the Farm Bill workload is critical, and he recognizes this and personally thanks the district employees and supervisors at every opportunity. He said that all financial assistance dollars received must of course go to landowners. He also noted that over 80% of the NRCS technical assistance funds across all programs is to pay personnel and much of the rest covers office space, supplies, equipment and related items that benefit the districts as much as the NRCS. He said that he is doing all that can be done to financially assist the districts. Mr. Norton noted that he does not see enough Federal funds available to fill a \$300,000 gap in the OSWC state budget. He further noted that he has advised NRCS personnel that they cannot engage in lobbying activity and district fundraising efforts. However, District Conservationists can and should furnish district supervisors with information on local conservation program needs and accomplishments that can be used to bolster district funding efforts.

Mr. Norton said that the FY 2010 allocations are not yet available to Louisiana for program implementation, so most activity is currently focused on getting program criteria in place and preparing for delivery. He said the deadline for completing the evaluation of Conservation Stewardship Program (CSP) applications received by the September 30, 2009 deadline has been extended from November 15, 2009 to December 30, 2009 now that the measurement tool for CSP is operational. He said several people are working on determining the accuracy of the measurement tool in regard to Louisiana conservation benefits, practices and resource needs. He said that they are working with the national office on pulling together the Working Wetlands Initiative as a CSP project, and are working on the WRP to get about 18,000 – 20,000 acres enrolled in that program this year; only about 1,200 acres were enrolled this past year.

Mr. Norton said the Mississippi River Basin Initiative is up and running, and Scott Edwards, Acadiana RC&D Coordinator has accepted a 90 day detail to serve as Louisiana's coordinator for the MRBI to make sure we hit the mark on this healthy watersheds initiative. He said that he has to submit 3 watersheds at the eight digit hydrologic unit level. He said these are fairly large watershed units. He said at the State Technical Advisory Committee teleconference on October 20th, nine watersheds were placed on the table for consideration but the final decision of the watersheds to submit has not been made. Mr. Norton said, once submitted to the National Office, the three watersheds will be included with other states' nominations in a Request for Proposals (RFP) to be published in the Federal Register then potential partners will submit proposals for specific work in sub-watersheds (scale = 12 digit hydrologic units) within the larger watersheds. He said the process for final selection and funding of the watersheds will be described in the RFP. Mr. Norton said that he hopes we will have three sub-watersheds approved; one in each of the three larger watersheds submitted.

Mr. Norton said this concluded his report.

Correspondence

Chairman Guillory asked Mr. Spicer to continue with the agenda items under Correspondence.

Mr. Spicer said the first item is a NACD Request for Action. He said NACD is requesting that the State Legislative Contacts get in touch with their U.S. Representatives asking that they support H.R. 3524, the Family Farm Preservation and Conservation Estate Tax Act. He said the legislation proposes to reform the estate tax law by exempting qualified family farms and ranches from estate and death taxes. Mr. Spicer said that Louisiana 5th District Congressman Rodney Alexander is a co-sponsor of H.B. 3524.

Mr. Spicer said other legislative correspondence included National Association of State Departments of Agriculture (NASDA) e-news summary of EPA Administrator Ms. Lisa Jackson's announcement that EPA will be more aggressive policing Clean Water Act (CWA) violations and specifically livestock feeding operations. He said also discussed in the e-news was EPA's implementation of the Sixth Circuit's decision requiring CWA permits for pesticide applications in, over or near water. Additionally, EPA will initiate studies to determine the cancer and non-cancer human health impacts of atrazine.

Commissioner Strain and his program management staff met with the Governor's streamlining staff to discuss the George Mason University's proposals. Commissioner Strain provided the Governor's staff with a detailed explanation of each program housed in LDAF. The Commissioner did an excellent job in explaining why the George Mason University's proposal, if implemented, would not result in streamlining state government, the cost of managing LDAF programs would not be reduced and possibly would increase if moved to another department, and that it would be harmful to the state and its citizens to privatize LDAF regulatory programs. The Commissioner also stated that the Soil and Water Conservation Program belongs in LDAF with the other agriculture and forestry programs. He stated that it is critical that Louisiana farmers and ranchers continue to have access to the technical and financial assistance provided through the Office of Soil and Water Conservation working in partnership with the local Soil and Water Conservation Districts and the USDA NRCS.

Mr. Spicer said that another article from The Advocate discusses the outcome-based budget procedures being considered by the Jindal administration. The process involves state agencies buying and selling portions or all of their programs to other state agencies or to make them a private enterprise. He said that Commissioner Strain, along with the other statewide elected officials, has elected not to participate in the buying and selling process. Mr. Spicer said that related to all the ongoing efforts for streamlining and reorganizing state government are the efforts to balance the state budget for F Y 2010-2011. He said that it is projected that the state must cut over one billion dollars for its current budget to stay within projected revenues to be collected next year. He said that LDAF has already lost over 150 full-time positions as a result of cuts in the past one and one-half years. He said they are currently working on another reduction-in-force plan to meet current budget shortfalls. He said the SWCDs have not been cut nearly as severely as has other programs in LDAF.

Mr. Spicer said that Mr. George Dauzat, working through Senator John Smith, set up a meeting of the state conservation leaders with the Governor's staff. Dr. Girourd said that he, along with Senator Smith, George Dauzat, Kevin Norton and Brad Spicer met with the Governor's Chief of Staff, Mr. Timmy Teepell to discuss the cuts in SWCD funding. Dr. Girouard said that Mr. Teepell made it clear that the Soil and Water Conservation District program would be cut an additional 25% or \$600,000 in the next fiscal year. Dr. Girourd said that it is going to be an uphill battle to keep legislators from further reducing district funding. He said the only choice we have is to get every district supervisor to contact their state legislators and get a commitment from them to not allow the district funds to be cut and to restore those cuts made in the last two years. He said they are working on an information package to provide the district supervisors and district employees to use when meeting with their elected officials. He said it is critical that we all use the same information and in the same format when providing information about our district accomplishments and our financial needs. He said we must stress that in order for the conservation partnership to continue the delivery of conservation programs to the state's ranchers and farmers we need additional funds. Dr. Girouard said that he hopes to have the necessary information for the districts to contact their legislators by next week.

Mr. Spicer said that it is crucial that we know those legislators that are committed to helping us with our state budget problems. He said this will require each district to keep LACD leaders informed of the results of their discussions with their legislators.

Mr. Spicer said the next item is on the Mississippi River Watershed Initiative. He said Mr. Norton discussed this program in his State Conservationist report.

Mr. Spicer said the final item is an announcement by DNR of a video "*Our Lives...Our Water*" that is now available to the public. Mr. Spicer said the conservation districts, especially those in north central Louisiana, should promote the distribution of the video since it provides information on groundwater and discusses issues surrounding the dropping of water levels in the Sparta Aquifer.

He asked if there were any questions and if not, that concluded correspondence.

Supervisor Resignations/Appointments and Reappointments

Chairman Guillory asked Mr. Spicer to report on the supervisor resignations and appointments. Mr. Spicer said there were no supervisor resignations.

Mr. Spicer said the respective conservation districts are requesting the State Commission to appoint the following supervisors to a new term in office:

Caddo, Mr. LeRoy Kirby, III reappointed to fill his appointed position. Term will begin November 18, 2009 and expire on November 18, 2012.

D'Arbonne, Mr. Ronald Richardson reappointed to fill his appointed position. Term will begin November 18, 2009 and expire on November 18, 2012.

Feliciania, Mr. Daniel DeLee, Jr. reappointed to fill his appointed position. Term will begin November 23, 2009 and expire on November 23, 2012.

Iberia, Ms. Clara Klienpeter reappointed to fill her appointed position. Term will begin November 27, 2009 and expire on November 27, 2012.

Motion: Mr. Yerger made a motion to approve the appointments of supervisors Mr. LeRoy Kirby, III, appointed position, Caddo SWCD; Mr. Ronald Richardson, appointed position, D'Arbonne SWCD; Mr. Daniel DeLee, Jr., appointed position, Feliciania SWCD, and Ms. Clara Klienpeter, appointed position, Iberia SWCD. The motion was seconded by Mr. Compton and passed unanimously.

Office of Group Benefits Health Insurance

Mr. Spicer said that he has for several years been stating his concern about the increased costs for districts that are participating in the Louisiana State Office of Group Benefits (OGB) Program. He said each year the cost to districts continues to increase as does the number of district employees that participate in the program. He said this will become a very critical problem to many districts if district funding continues to decrease and as health insurance costs increase. Mr. Spicer said that this may not be the time, but at some point in the near future, the costs associated with health insurance coverage for district employees must be addressed. He said they must find a legislative solution to ensure that districts can continue to fund employee health insurance. He said the only way to guarantee these funds would be to have the legislature dedicate funds for the program.

State Commission D&O, Workers Comp and Hired/Non-Owned Auto Insurances

Mr. Spicer said the next item is the selection of the district's Director and Officers (D&O), Workers Compensation and Hired/Non-Owned Auto Insurance package. He said that the current D&O coverage will be in place until December 15, 2010. He said that they have received a bid from the Turrentine Agency of Alexandria for Workers Comp and Auto Insurance coverage but they have not received a bid from Wright and Percy in Baton Rouge. Mr. Spicer said that they have to select coverage prior to the next Commission meeting and therefore he is

requesting that the Commission authorize him to select the agency that provides the best value for the conservation districts.

Chairman Guillory asked for a motion to authorize Mr. Spicer to select the agency that provides the best value for the Workers Comp and Hired/Non-Owned Auto insurances.

Motion: Mr. Yerger made a motion to authorize Mr. Spicer to select the agency that provides the best value for the Workers Comp and Hired/Non-Owned Auto insurances. The motion was seconded by Mr. Compton and passed unanimously.

OTHER BUSINESS

Chairman Guillory asked if there was any other business to come before the Commission and there was none.

NEXT MEETING

Chairman Guillory said the next Commission Meeting is scheduled for 12:30 P.M. on Tuesday, December 8, at the LSU Burden Center, 4560 Essen Lane, Baton Rouge Louisiana, providing the center is available.

PUBLIC COMMENTS

Chairman Guillory asked if there was any other business or comments. None replied.

ADJOURNMENT

Chairman Guillory said if there was no other business that he will accept a motion to adjourn.

Motion: Mr. Colvin made a motion to adjourn at 12:45 P.M. The motion was seconded by Mr. Fletcher and passed unanimously.

/s/ George Guillory
George Guillory, Chairman